

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1050 be amended to read as follows:

- 1           Page 3, after line 13 , begin a new paragraph and insert:
- 2           "SECTION 3. IC 36-7-31.3-8, AS AMENDED BY P.L.178-2002,
- 3           SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4           UPON PASSAGE]: Sec. 8. (a) ~~Except as provided in subsection (d),~~ A
- 5           designating body may designate as part of a professional sports and
- 6           convention development area any facility that is:
- 7           (1) owned by the city, the county, a school corporation, or a
- 8           board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or
- 9           IC 36-10-11, and used by a professional sports franchise for
- 10          practice or competitive sporting events; or
- 11          (2) owned by the city, the county, or a board under IC 36-9-13,
- 12          IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used as one (1) of
- 13          the following:
- 14           (A) A facility used principally for convention or tourism
- 15           related events serving national or regional markets.
- 16           (B) An airport.
- 17           (C) A museum.
- 18           (D) A zoo.
- 19           (E) A facility used for public attractions of national
- 20           significance.
- 21           (F) A performing arts venue.
- 22           (G) A county courthouse registered on the National Register
- 23           of Historic Places.
- 24          A facility may not include a private golf course or related
- 25          improvements. The tax area may include only facilities described in this
- 26          section and any parcel of land on which a facility is located. An area
- 27          may contain noncontiguous tracts of land within the city, county, or
- 28          school corporation.
- 29          (b) Except for a tax area that is located in a city having a
- 30          population of:
- 31           (1) more than one hundred fifty thousand (150,000) but less than

1 five hundred thousand (500,000); or  
2 (2) more than ninety thousand (90,000) but less than one  
3 hundred five thousand (105,000);  
4 a tax area must include at least one (1) facility described in subsection  
5 (a)(1).

6 (c) ~~Except as provided in subsection (d),~~ A tax area may contain  
7 other facilities not owned by the designating body if:

8 (1) the facility is owned by a city, the county, a school  
9 corporation, or a board established under IC 36-9-13,  
10 IC 36-10-8, IC 36-10-10, or IC 36-10-11; and

11 (2) an agreement exists between the designating body and the  
12 owner of the facility specifying the distribution and uses of the  
13 covered taxes to be allocated under this chapter.

14 ~~(d) In a city having a population of more than ninety thousand~~  
15 ~~(90,000) but less than one hundred five thousand (105,000), the~~  
16 ~~designating body may designate only one (1) facility as part of a tax~~  
17 ~~area. The facility designated as part of the tax area may not be a facility~~  
18 ~~described in subsection (a)(1).~~

19 SECTION 4. IC 36-7-31.3-19, AS AMENDED BY P.L.178-2002,  
20 SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 UPON PASSAGE]: Sec. 19. The resolution establishing the tax area  
22 must designate the use of the funds. The funds are to be used only for  
23 the following:

24 (1) Except in a tax area in a city having a population of:

25 (A) more than one hundred fifty thousand (150,000) but less  
26 than five hundred thousand (500,000); or

27 (B) more than ninety thousand (90,000) but less than one  
28 hundred five thousand (105,000);

29 a capital improvement that will construct or equip a facility  
30 owned by the city, the county, a school corporation, or a board  
31 under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and  
32 used by a professional sports franchise for practice or  
33 competitive sporting events. In a tax area to which this  
34 subdivision applies, funds may also be used for a capital  
35 improvement that will construct or equip a facility owned by the  
36 city, the county, or a board under IC 36-9-13, IC 36-10-8,  
37 IC 36-10-10, or IC 36-10-11 and used for any purpose specified  
38 in section 8(a)(2) of this chapter.

39 (2) In a city having a population of more than one hundred fifty  
40 thousand (150,000) but less than five hundred thousand  
41 (500,000), a capital improvement that will construct or equip a  
42 facility owned by the city, the county, a school corporation, or  
43 a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or  
44 IC 36-10-11 and used for any purpose specified in section 8(a)  
45 of this chapter.

46 (3) In a city having a population of more than ninety thousand  
47 (90,000) but less than one hundred five thousand (105,000), a  
48 capital improvement that will construct or equip a facility owned  
49 by the city, the county, or a board under IC 36-9-13, IC 36-10-8,  
50 IC 36-10-10, or IC 36-10-11 and used for any purpose specified  
51 in section ~~8(a)(2)~~ 8(a) of this chapter.

1           (4) The financing or refinancing of a capital improvement  
2           described in subdivision (1), (2), or (3) or the payment of lease  
3           payments for a capital improvement described in subdivision (1),  
4           (2), or (3).".

5           Renumber all SECTIONS consecutively.

(Reference is to EHB 1050 as printed February 20, 2004.)

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Senator ROGERS